

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Appl. Serial No.:** 10/643,681

**Inventors:** Orville G. KOLTERMAN, et al

**Filed:** August 18, 2003

**Title:** METHODS FOR REGULATING POSTPRANDIAL  
BLOOD GLUCOSE

**Confirmation No.:** 4614

**TC/A.U.:** 1639

**Examiner:** LIU, Sue Xu

**Atty. Docket:** 254/057 CON

**TERMINAL DISCLAIMER**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Dear Sir:

I, Steven C. Koerber, agent of record of Amylin Pharmaceuticals, Incorporated, 9360 Towne Centre Drive, San Diego, California 92121, (hereinafter "Amylin") represent that Amylin is the assignee of the entire right, title and interest, by assignment of the parent application encompassing continuation and divisional applications, which was recorded in the U.S. Patent and Trademark Office at Reel 7898, Frame 0461, of application Serial No. 08/302,069, filed September 7, 1994, for "METHODS FOR REGULATING GASTROINTESTINAL MOTILITY."

I hereby disclaim the terminal part of any patent granted on the above identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and § 173 as presently shortened by any terminal disclaimer, of

U.S. Patent No. 7,281,238,

and hereby agree that any patent so granted shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said U.S. Patent No. 7,281,238, this agreement to run with any patent granted on the above identified application and to be binding upon the grantee of such patent and its successors and assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term

as defined in 35 U.S.C. §§ 154-§156, and § 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please debit the amount of \$130.00 for the payment of the Terminal Disclaimer fee under 37 C.F.R. § 1.20(d) to Applicant deposit account number 010535 referencing Attorney Docket No. 254/057 CON. If any other fee should become due or credit become payable during the pendency of these proceedings, however, the Examiner is authorized to charge or credit the same to deposit account number 010535.

Date: February 6, 2008

Respectfully submitted,

AMYLIN PHARMACEUTICALS, INC.



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